

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

ANTONIO MOORE,	:	CASE NO. 1:02cv00430
	:	(J. Weber)
Plaintiff	:	
	:	
vs.	:	
	:	
KROGER COMPANY, et al.,	:	
	:	
Defendants	:	

**NOTICE OF CROSS- APPEAL**

\_\_\_\_\_ Notice is hereby given that Defendant, the Kroger Company, cross-appeals to the United States Court of Appeals for the Sixth Circuit from the Order (**Doc. 32**) of the United States District Court Granting in Part and Denying in Part the Defendants' Motion for Summary Judgment entered in this case on **July 8, 2004**.

**s/ Lawrence E. Barbieri**  
Lawrence E. Barbieri, (0027106)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on **August 16th, 2004**, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Robert E. Manley, Esq. and Fanon A. Rucker, Esq. **Attorneys for Plaintiff**, Thomas Harris, Esq., **Attorney for Defendants**, **City of Cincinnati**, **McNeil, Schulte and Bley**, Assistant City Solicitor, City of Cincinnati, and to Donald E. Hardin, Esq., **Special Counsel for Cincinnati Police Officers**.

**s/Lawrence E. Barbieri**  
Lawrence E. Barbieri, (0027106)